

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 4, 2002, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations
- Distinguished Service Citation

PUBLIC AGENDA

1. Pat Cameron, Community Action Network – “Proposed Downtown Arena.”

(Addendum)

- 1A. Mary Dean, The Wichita Twelve – “Government Contracts, Bond Money, and Special Tax Consideration Given to the Boeing Company.

NEW BUSINESS

2. 21st Street Bike Path between Maize Road and Ridge Road. (District V)

The 2002 Capital Improvement Program includes funds to construct a Bike Path along 21st Street, from Maize Road to Ridge Road.

RECOMMENDED ACTION: Approve the project and City/State Agreements;
adopt the Resolution; authorize necessary signatures.

3. Acquisition of Water Main – City of Goddard.

Purchase of the water line provides cost-effective advantages as the water system expands to meet demands of growth in the area.

RECOMMENDED ACTION: Approve the Purchase and Agreement; authorize the necessary signatures.

CITY COUNCIL AGENDA

4. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

5. Report of the Board of Bids and Contracts Dated June 3, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

6. Applications for Licenses for Adult Entertainment Establishments/Services:

New - Adult Entertainment

Gail R. Crump	GS Entertainment	5858 South Broadway
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Renewal – Escort Service

George Watley	Worldwide Entertainment	2415 South Glendale
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RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

7. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
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Akiko Miloni	Mama-San's*	3811 West 13 th Street
Juvenal G. Fernandez	La Mexicana Restaurant*	408 West 21 st Street

(Consumption off Premises)

Loan H. Le	KC Gas & Groceries #1	1102 West Maple
Joe Gregory	QuikTrip #313	3164 South Hillside
Joe Gregory	QuikTrip #320	1021 West 31 st Street South
Joe Gregory	QuikTrip #321	6011 West Central
Joe Gregory	QuikTrip #325	1414 North Oliver
Joe Gregory	QuikTrip #326	2010 South Broadway

(Item 7 continued)

Joe Gregory	QuikTrip #328	2801 South Hydraulic
Joe Gregory	QuikTrip #329	5602 East Harry
Joe Gregory	QuikTrip #343	242 South Tyler
Joe Gregory	QuikTrip #345	4020 South Meridian
Joe Gregory	QuikTrip #347	1532 South Seneca
Joe Gregory	QuikTrip #349	1112 West Douglas
Joe Gregory	QuikTrip #353	110 South Rock Road
Joe Gregory	QuikTrip #356	4808 South Hydraulic
Joe Gregory	QuikTrip #358	7120 West 21 st Street South
Joe Gregory	QuikTrip #360	3933 West 13 th Street South
Joe Gregory	QuikTrip #366	1620 South Webb Road
Joe Gregory	QuikTrip #368	626 West 21 st Street North
Joe Gregory	QuikTrip #369	3216 East Harry
Joe Gregory	QuikTrip #372	3106 East Pawnee
Joe Gregory	QuikTrip #373	1610 East Lincoln
Joe Gregory	QuikTrip #374	10315 West 13 th Street
Joe Gregory	QuikTrip #376	2106 South Rock Road
Joe Gregory	QuikTrip #378	5611 South Broadway
Joe Gregory	QuikTrip #383	11223 East Central
Joe Gregory	QuikTrip #384	2510 West Pawnee
Joe Gregory	QuikTrip #386	1010 East Douglas
Joe Gregory	QuikTrip #388	7991 East 37 th Street North
Joe Gregory	QuikTrip #389	4730 East Central
Joe Gregory	QuikTrip #391	730 North Broadway
Joe Gregory	QuikTrip #396	333 South West Street

New Operator

2002

(Consumption on Premises)

Allen Moore
Jeffrey Lyon Rutledge

The Fat Chefs Inc.*
Chug-A-Lug

1712 East 47th Street
51111 West 13th Street

New Establishment

2002

(Consumption off Premises)

Anh Lan Le

Vihn Phat Market

4847 East Harry

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

8. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

9. Preliminary Estimates:

- a) Lydia, from the west line of Crestline to the east line of Lydia Court; Lydia Court, from the north line of Lydia to and including cul-de-sac Lydia Court, from the north line of Lydia, to and including cul-de-sac; Crestline Court, from the west line of Crestline, to and including cul-de-sac; and Crestline, from the north line of Lydia to the north line of Lot 34, Block 2. Sidewalk installed along Crestline to serve Shelly's Orchard Addition - east of Maize, north of Pawnee. (472-83493/765728 /490839) Does not affect existing traffic. (District V) - \$301,000
- b) Sanitary Sewer Reconstruction in 8th Street, between Market & Broadway to serve Munger's Original Town Addition - north of Murdock, west of Broadway. (468-83348/620327/661451) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$18,700
- c) Intelligent Transportation System that includes improvements to Kellogg and arterial streets within the corporate limits of the City of Wichita, Kansas. (706826/472-83413/201-292) - \$95,000
- d) (Amended) - Cost of water distribution system to serve Westridge Estates, Aberdeen Commercial, Duling and Aberdeen First Additions. Westridge Estates. (OCA/PROJ)734963/734968/734969/734970 /448-89470/448-88944/448-88825/448-88826 (PPN) 470-633/470-638/470-639/470-640) - \$177,710
- e) (Amended) Cost of improving and widening Maple from 135th Street West to 119th Street West. All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer. (706817/472-83262/201-283) - \$3,500,000

RECOMMENDED ACTION: Approve and file.

10. Statement of Cost:

- a) (Sixth Partial Amended) Estimate of Cost for the Lawrence Dumont Stadium Improvements - \$3,226,212; less financing previously issued - \$3,150,000. Financing to be issued at this time - \$76,212. (792051/N.A./358-234)

RECOMMENDED ACTION: Approve and file.

11. Minutes of Advisory Boards/Commissions:

District Advisory Board VI, March 4, 2002
District Advisory Board VI, April 1, 2002
Board Of Electric Appeals, April 16, 2002
Design Council-City Arts, April 18, 2002
District Advisory Board III, May 1, 2002
Housing Advisory Board, February 19, 2002
Board of Electric Appeals, March 12, 2002
Regular Board Meeting Minutes, March 20, 2002
Alternative Correctional Housing Advisory Board, March 5, 2002
Police & Fire Retirement System Meeting, March 27, 2002
Board Of Appeals Of Refrigeration, Air-Conditioning, March 28, 2002
Board Of Code Standards And Appeals, April 1, 2002
Board Of Appeals Of Plumbers And Gas Fitters, April 3, 2002
District Advisory Board III, April 3, 2002
Deferred Compensation Board Of Trustees Meeting, April 4, 2002

(Item 11 continued)

Board Of Park Commissioners, April 8, 2002
Wichita Public Library Meeting, April 16, 2002
District Advisory Board III, April 17, 2002
Wichita Airport Advisory Board, March 4, 2002
Alternative Correctional Housing Board, March 25, 2002
Housing Advisory Board, April 16, 2002

RECOMMENDED ACTION: Receive and file.

12. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

13. Agreements/Contracts:

- a) [Extension](#) for parking management. (District VI)
- b) [Fire](#) Stations and South Regional Library Construction.
- c) [Historic](#) Preservation Fund Grant 2002-17546-005.
- d) [Adopt-A-Park](#).
- e) [Interlocal](#) water service – Andover.
- f) [Homeownership](#) training Amendment.
- g) [Building](#) encroachments – Big Brothers/Big Sisters Building. (District VI)

(Addendum)

- h) [Exploited](#) and Missing Child Unit Agreement.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

14. [Grant](#) Application – Lead-Based Paint Hazard Control Grant Program.

RECOMMENDED ACTION: Approve Grant Application and receipt of funds; authorize necessary signatures.

15. [Marketing](#) Study Grant Request.

RECOMMENDED ACTION: Approve the Grant request and receipt of funds; authorize necessary signatures.

16. [Automation of Sewer Meters.](#)

RECOMMENDED ACTION: Authorize expenditures; approve transfer of funds.

17. [Sewer Flow Monitoring.](#)

RECOMMENDED ACTION: Approve expenditure and Purchase Order increase.

18. [Four-Mile Creek Sewage Treatment Plant.](#)

RECOMMENDED ACTION: Approve the purchase.

19. [Water Main in Gold Street, MacArthur to 35th Street South.](#) (District IV)

RECOMMENDED ACTION: Approve expenditure; adopt Resolution.

20. [Bonding Resolution – Cessna Citation Service Center.](#)

RECOMMENDED ACTION: Adopt the Resolution.

21. [Second Reading Ordinances:](#) (First read May 21, 2002)

a) DR2001-08 - Board of Zoning Appeals.

An Ordinance amending Sections 2.12.580 and 2.12.590 of the Code of the City of Wichita, Kansas, pertaining to the procedure and jurisdiction for the Board of Zoning Appeals, and repealing the originals of said Sections.

b) Hillside improvement, between 17th and 21st Streets. (District I)

An Ordinance declaring Hillside, from 17th Street North to 21st Street North, 472-83537, to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

c) Property acquisition – 1251 North Broadway. (District IV)

An Ordinance providing for the acquisition by eminent domain of certain private property in connection with the Redevelopment of a portion of the Mid-Town Area in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and providing for payment of the cost thereof.

(Item 21 continued)

- d) ZON2001-19 - northwest corner of 37th Street North and Ridge Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2001-19

- e) ZON2000-38 - north Side of Maple, between I-235 and West Street. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2002-38

- f) ZON2001-56 - southeast corner of 29th Street North and Tyler. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2001-56

- g) A02-04 - between 21st and 37th Streets North, West of Hoover Road.

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-04

- h) 02-10 - generally located North of 47th Street South and East and West of Hoover Road.
(Districts IV and V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-10

RECOMMENDED ACTION: Adopt Ordinances.

22. First Reading Ordinances:

- a) Weed mowing.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

- b) Building condemnations.

An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe building which have been declared a nuisance under the provision of Section 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas.

- c) Health nuisance (lot clean-up).

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean-up) under the provisions of Section 7.04.050 of the Code of the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*23. [SUB2002-09](#) – Plat of WJR Addition – Northwest Corner of MacArthur Road and Webb Road.

RECOMMENDED ACTION: Approve Plat; adopt Resolutions; authorize necessary signatures.

*24. [SUB2002-12](#) – Plat of Great Plains Business Park Third Addition – East of Oliver, North of K-96 Expressway. (District I)

RECOMMENDED ACTION: Approve Plat; adopt Resolutions; authorize necessary signatures.

*25. [SUB2002-15](#) – Plat of Chadsworth Plaza Addition – North of 21st Street North, East Side of Maize Road. (District V)

RECOMMENDED ACTION: Approve documents, Plat, and first reading of ZON2001-47 Ordinance; adopt Resolutions; authorize necessary signatures.

*26. [DED2002-15](#) – Dedication of Street Right-of-Way – North of Second Street North, East of West Street. (District IV)

RECOMMENDED ACTION: Accept the Dedication.

*27. [DED2002-16](#) – Dedication of Access Control – North of Second Street North, East of West Street. (District IV)

RECOMMENDED ACTION: Accept the Dedication.

*28. [VAC2002-00004](#) – Vacate Platted Access Control – Northeast of 37th Street North/Woodlawn Boulevard Intersection. (District I)

RECOMMENDED ACTION: Approve Vacation order and documents; authorize necessary signatures.

*29. [VAC2002-00010](#) – Vacate Portion of 20-Foot Utility Easement – Northeast of Pawnee/Maize Road Intersection. (District V)

RECOMMENDED ACTION: Approve Vacation Order; authorize necessary signatures.

- *30. [ZON2002-00021](#) – Addition to Old Town Overlay District on Property Zoned Limited Industrial.
(District VI)

RECOMMENDED ACTION: Approve the zone change and first reading
of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

31. [Schedule](#) of Fees and Charges – Mid-Continent Airport.

RECOMMENDED ACTION: Adopt the Schedule of Fees and Charges
(Effective July 1, 2002).

32. [Airport](#) Improvement Program Grant Application.

RECOMMENDED ACTION: Approve the Grant Application and receipt of
funds; authorize necessary signatures.

33. [Airfield](#) Pavement Taxiway “N” Construction – Mid-Continent.

RECOMMENDED ACTION: Approve the Project and Contract; authorize
necessary signatures.

34. [Supplemental](#) Agreement – Intrust Bank, NA.

RECOMMENDED ACTION: Approve Agreement; authorize necessary
signatures.

Adjournment
